

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

FILED

MAR 03 2003

INDIANA UTILITY  
REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA )  
PUBLIC SERVICE COMPANY FOR )  
APPROVAL OF ANNUAL DEMAND, )  
TAKE-OR-PAY, TRANSITION AND )  
STORAGE AND TRANSMISSION )  
COSTS TO BE APPLICABLE IN )  
THE TWELVE-MONTH PERIOD, )  
BEGINNING NOVEMBER 1, 2002 )

CAUSE NO. 41338-GCA 4

March 2003 Commodity Filing

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On February 26, 2003, NIPSCO filed its March 2003 Commodity Filing. On February 27, 2003, the Indiana Office of Utility Consumer Counselor ("Public") filed its Objection to NIPSCO's March 2003 Commodity Filing. On February 28, 2003, NIPSCO filed its Response to OUCC's Objections. Said filings are incorporated herein by reference.

On February 28, 2003, the presiding officers issued a docket entry stating that NIPSCO should not institute its proposed commodity charge for March 2003 and that an attorneys' conference should be convened on Monday, March 3, 2003 at 2:00 P.M. in room E306 of the Commission's offices. At the attorneys' conference, NIPSCO, OUCC and Intervenor NIPSCO Industrial Group appeared and participated arguing their respective positions and answered questions from the bench.

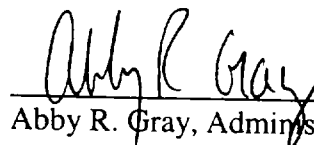
The OUCC argued that more time is needed for it to conduct discovery and to develop its position with regard to NIPSCO's gas procurement policy. NIPSCO argued that it did not oppose the OUCC obtaining more time and information but did oppose the suspension of the March 2003 factor until a hearing could be held.

Given the complexity of the issues at hand, more time should be afforded the OUCC to prepare its substantive case in this matter. However, pursuant to the existing Agreement between the OUCC and NIPSCO approved by the Commission, and the possibility that suspending the March factor could ultimately result in more harm to ratepayers if eventually found to be appropriate, NIPSCO should be allowed to institute its March 2003 GCA factor. The March factor will be allowed on an interim basis, subject to refund and possible cost disallowance if found to be unreasonable. In this regard it should be noted that pursuant to statute, NIPSCO retains the burden of proof regarding its statutory obligation to acquire gas at the lowest cost reasonably possible.

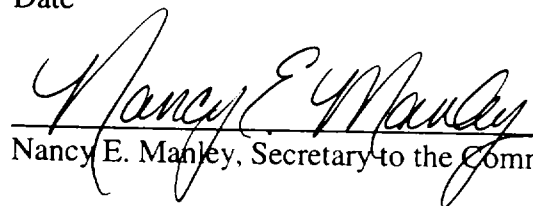
Finally, NIPSCO should prepare and file its written testimony on this issue with the Commission by March 11, 2003. The OUCC should file its testimony by March 27, 2003. NIPSCO should file its rebuttal testimony by April 3, 2003. The evidentiary hearing should be conducted with the evidentiary hearing in this Cause commencing on April 7, 2003.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Judith G. Ripley, Commissioner

  
\_\_\_\_\_  
Abby R. Gray, Administrative Law Judge

3/3/03  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission